

Town of *Dunstable* Selectboard
Meeting Minutes
November 9, 2021
Town Hall, Dunstable, MA 01827

Convened: 5:33 pm

Present: Leah D. Basbanes, chair, Kieran D. Meehan, vice chair, member(s); Brian M. Palaia, Town Administrator; James W. Dow, Chief of Police; David Kimpton, 350th Anniversary Celebration Committee

Call to Order & Public Forum

Ms. Basbanes called the meeting to order. She then noted this meeting has a very light agenda which includes Review & Possible Approval of an RFP for the Mixed Use District, Determination on a Date for the Tax Classification Hearing, Possible Authorization for the Anniversary Celebration Committee to Use the Town Seal, and Continued Discussion & Possible Action Regarding the Cost Share for the Recent Water Infrastructure Project.

Review & Possible Approval of Request for Proposals for 160-164 Pleasant Street (Mixed Use District)

The Board noted that they'd reviewed the RFP and it appears to be good work. We have to go back out there and see if we can get a hit. If we don't, then we may have to reevaluate the entire project. Mr. Palaia agreed suggesting in that event we may have to do something that fits the town and doesn't necessarily address Chapter 40B. Or simply wait until there is a forced project. The Board then turned to issuance. Mr. Palaia reported that it's under legal review now with Town Counsel. He hopes to have it published in the various required places by the end of November or start of December. The Board asked about a layout noting that a digital layout could help. Mr. Palaia noted he's got something in PDF and a larger one that could be digitized. That might help developers. Discussion concluded there.

Determination on Date for Tax Classification Hearing

The Board considered the date for the hearing. The Board of Assessors can't make it for November 23rd, 2021 and they do not believe DOR will have their part of the process ready for that date either. As such they're asking for November 30th, 2021. Mr. Palaia felt it a good idea as it gives us another week to work on the 50/50 split for the Water Infrastructure Project's debt service. The Board asked when Advisory Board will meet. Mr. Palaia responded that they'll be meeting the start of December. They are trying to set up a meeting for GDRSD's representatives and the School Committees representatives to attend. It's a hard time of year given holidays. It was agreed to move the meeting to November 30th for the hearing and to move the Board's otherwise scheduled meeting for December 7th, 2021 to December 14th, 2021. Then the Board can return to its normal schedule on January 4th, 2022.

Possible Authorization for 350th Celebration Anniversary Committee to Use the Town Seal for Celebration/Fundraiser Purposes

Mr. Palaia elaborated that this would be to allow the Committee to use the seal for fundraising. The Board had no issue with the Committee using the seal for that purpose noting that it likely should be at the forefront of celebrations and fundraising. It has for past celebrations of anniversary's and the Board saw no reason it could for the 350th.

A motion was made by Ms. Basbanes to authorize the committee to use the seal for fundraising purposes as part of the celebration. The motion was seconded by Mr. Meehan and passed by majority vote.

Continued Discussion & Possible Action Regarding Cost Share (Ratepayers vs. Taxpayer) for Recent Water Infrastructure Project

Mr. Palaia began by reprising the topic. We're talking about shifting the cost share from 75/25 to 50/50. In order to make this change we have to make a decision before the Tax Classification Hearing. The Board noted we've had a fair amount of feedback from townspeople with ratepayers expressing financial distress from the most recent rate increase which in many cases tripled bills. Mr. Palaia noted that assuming no change in behavior the average bill is \$2,500. There are 101 ratepayers and the billing is done semiannual. So that \$2,500 is for a year. If we do the 50/50 split that annual bill would fall on average down to \$2,000. He then went over the criteria for well drilling. From an eagle eyed view it would appear about 50 of the ratepayers could leave the system. If they did this it would leave the remaining

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ratepayers left paying that debt service and it could result in annual bills as high as \$5,000 on average. When we decided on the 75/25 it was the consensus of the Advisory Board, Water Commission, and the Board at the time and was presented and voted on at town meeting. But legally, the Board has the authority to change the split without returning to town meeting and can do it through the tax rate given the legal process followed. Mr. Palaia cautioned that not everyone will be happy even with the 50/50 split. The Board agreed, but noted that wells aren't as affordable as people may think. Hydro fracking, arsenic, and other issues could happen. Plenty of residents have had to drill more than one well and wells can cost as little as \$8,000 or as high as \$12,000. A filter for arsenic is \$5,000 more. So folks could claim they'd make their money back in a few years, but they may simply not. Mr. Palaia agreed noting that the data is from an eagle eyed view and Board of Health could find many issues that could preclude most of those 50 from drilling. The Board recalled the reasons for the split consensus, and while the Board was still of the opinion that was the right decision, given the circumstances it makes sense to ameliorate.

There was a request as to what would happen to non-water ratepayers. Mr. Palaia responded the average bill for households would increase but he reminded that water ratepayers would save \$500 only to gain some back on their tax bill. He stressed the best you can hope for is that we demonstrate good faith. If ratepayers still want to leave the system then that's what will happen. The Board agreed noting that we can't inverse the split and go to 25/75. It's just not feasible. There was then a question about whether ARPA funding could help. Mr. Palaia went over the criteria and noted that there is the potential for a subsidy, but there are a lot of details on what is permissible still up in the air. The Board asked how long it could last. Mr. Palaia responded it would be one time. Mr. Kimpton, noting he's a water ratepayer, that it wouldn't help for long in that event, especially if the savings for reducing the cost split share would only yield \$500. Mr. Palaia conceded that but noted that the Water Dept. is in talks with Pepperell for them to take over as the water operator which will likely see department costs reduced and they are hoping to potentially sell water to Pepperell. So in the future that may help. Unfortunately we were required to do the Water Infrastructure Project. We had no choice. Mr. Kimpton acknowledged that but stressed we all pay for things we don't necessarily use but which are required. For example, he as a senior citizen pays for schools. But doesn't have children in the schools. So we all to bear costs for things we don't necessarily use. Mr. Palaia then briefly went over the various types of utility lines and how betterments work, if for example, an interconnection were to be built with Pepperell for future water sales. Mr. Kimpton noted that we've considered water sales before, and Dunstable historically hasn't received that well. So he would be surprised if that ever came to fruition. Mr. Palaia noted that we considered various options when working on the project. We'd considered even drilling wells for all the ratepayers, but the problem was not all of them could have qualified, only about half, and we'd still have to maintain a system for the Swallow-Union Elementary School as well as the Town Hall, Police Station, Library, and Fire Station. Mr. Kimpton conceded that but conveyed many conversations he's had with water ratepayers. There are many who may very well sell their houses if they can't drill wells. The Board acknowledged that, but unfortunately we are committed to paying for the system. Mr. Kimpton asked what would happen in theory if everyone on the system could leave it.

The Board responded the town would still have to pay the debt service. Mr. Kimpton noted that to his experience the water pressure hasn't been improved, he doesn't have an irrigation system, and he is frugal with his usage and still his bill is increasing by at least 100 percent. He also detailed a number of senior citizens on the system who simply can't afford the rate increases, and likely still can't even with a 50/50 split. He noted that if the houses go up for sale and can't sell that will bite us. If they do sell and we end up with more children in the school system, we'll all pay. Infrastructure is for the community, not every person personally. We all have to shoulder the costs. The Board generally agreed with that, but we are where we are. Water ratepayers have every right. If we could keep the rates lower we would. We aren't doing this to make money. The Water Department is barely breaking even. Mr. Palaia concurred again stressing the only thing to do is bring down costs through the water operator and other possibilities like selling water. Sadly there aren't any silver bullets. Mr. Kimpton asked what the emphasis of the project was. Mr. Palaia responded that the hydropneumatic tanks were beyond their life spans and DEP would not allow them to be replaced with newer ones. DEP then ordered us to do the work. If we hadn't done the Water Infrastructure Project they would have fined us and eventually they'd have stepped in and done the project. They would have picked the most expensive option and it would have been to their specifics. So we made the best of a bad situation. Mr. Kimpton noted even with the improvements we don't have good fire suppression from it. The Board responded to do that we would have had to spend even more money. Mr. Kimpton conceded all of this but stressed something has to be done to help. Especially fixed income seniors. He then asked about the plans GDRSD has to have all Dunstable students at Swallow-Union and all Groton at the new Florence Roche. He wondered what that would do to the town's school costs. Mr. Palaia responded that right now they'd still have to pay for costs associated for the school based on the current regional agreement, but they will likely seek a change in that status. The Board noted there's a lot of this sort of stuff looming and it won't be easy to address. Mr. Palaia noted that one of the rationales of the 75/25 split was that the school district would be helping to bear the cost as a ratepayer and thus in a way Groton is helping pay for the project in a roundabout way.

The Board conceded that and noted that there are no magic solutions. Not legal marijuana, not mixed use development, not liquor licensing. Nothing is going to grandly improve our tax revenues. Mr. Kimpton agreed but he noted that usually you pay for what you use with a utility. If you turn on the light you pay for it. But if you don't you don't. Mr. Palaia explained how the debt service works and how the split functions. Less than 25 percent of the usage on the system was by public buildings. 75 percent was by private residences. This was part of the basis for the 75/25 split. So 50/50 is splitting the cost down the middle regardless of use. Mr. Kimpton then took a moment to praise the Board for its new newsletter and asked the Board to consider in its next edition publishing more information on this. After all many have accused the Water Dept. of doing things in the dark, even though they haven't. These decisions were made at a town meeting and in public hearings. But still people think otherwise. Mr. Palaia noted in fairness it is true that at the time the majority of Water Commissioners weren't ratepayers, but as things stand now it's even with one being a ratepayer and the other not. Regardless both Commissioners advocate for the 50/50 split. The Board noted they can only do so much to inform the public. As much as possibly can be done is done. But if people don't attend town meeting and don't go to hearings and don't read what's published, what more can the town do? It's a constant frustration to hear that people had no idea. Mr. Kimpton conceded that noting that his being the only ratepayer present for this meeting is a surprise to him given the grievances he's heard. The Board then noted we can't just make it a 100 percent on taxpayers. So the 50/50 ends up being the fairest thing. Mr. Palaia agreed and returned to Pepperell. They have a PFAS problem and they either have to buy water or build a water treatment plant. A plant will cost \$10 million. An interconnection would be more like \$3.5 million. They're eager to buy because it's cheaper. If taxpayers don't want to bear the cost of this and ratepayers can't bear it either, then selling water is the likely solution. We tried to lease space on the water tower for cell phone equipment but that wasn't successful. The Water Dept. truly is making every effort it can.

Appointments & Resignations

Mr. Voelker reported that there are no appointments for this meeting. The item is on the Board's agenda just in case.

Town Administrators Report

Mr. Palaia started by reporting on the situation with the Rt. 113 Infrastructure Project and the Senate. EEA is still holding things up and despite pleas by Rep. Harrington and Senator Kennedy it hasn't moved. He plans to call Lt. Governor Polito to request her assistance. Mr. Palaia then reported on other items including plans for seeking a community compact grant, some potholes Highway Dept. is working to repair, and a few other items. The Board noted that one pothole in particular is causing consternation among residents. Mr. Palaia conceded that but noted that Highway Dept. and Roads Commission are working on it.

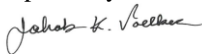
Minutes

The Board reviewed the minutes for October 26th, 2021. Upon review the Board determined to approve the minutes.

A motion was made by Mr. Meehan to approve the minutes of October 26th, 2021, as written. The motion was seconded by Ms. Basbanes and passed by majority vote.

A motion to adjourn was made by Mr. Meehan at 6:26 pm. The motion was seconded by Mr. Mikol and passed by majority vote.

Respectfully submitted by



Jakob K. Voelker, Assistant Town Administrator

Approved and adopted on 11/30/21